

UNITED STATES DISTRICT COURT

for the
Southern District of Illinois

BILLY RAY NORTON

Plaintiff

v.

TRANS UNION, LLC et. al.,

Defendants

Case Number: 3:15-cv-649-MJR-DGW

CJRA Track: B

Trial Date: June 20, 2016

Judge: Michael J. Reagan

NOTICE TO COUNSEL

Pursuant to SDIL-LR 16.1, the above-styled cause has been assigned as a “Track B” case. Therefore, you are hereby placed on notice that a presumptive trial month has been set as indicated above. Pursuant to SDIL-LR 16.2(a) and Federal Rule of Civil Procedure 26(f), an initial pretrial scheduling and discovery conference is hereby set before:

Honorable Donald G. Wilkerson

Date and Time – August 12, 2015 at 11:15 a.m.

The Conference will be conducted by telephone. Counsel for the Plaintiff shall be responsible for placing the conference call to opposing counsel before calling the Court’s conference line at (618) 482-9004.

The purposes of this conference are:

- (1) To discuss the Joint Report of the Parties as to the proposed discovery plan;
- (2) To discuss the possibility of settlement;
- (3) To discuss the possibility of using a voluntary alternative dispute resolution device (e.g., mediation, arbitration, summary jury trial, mini-trial) to resolve the dispute;
- (4) To discuss the complexity of the case and, if it is tried, the approximate number of days necessary to complete the testimony;

- (5) To confirm the presumptive date for the trial (see SDIL-LR 16.1(a));
- (6) To set a cut-off date for completion of all discovery including experts' discovery (or in the case of extraordinarily complex cases, the cut-off date for completion of core discovery), which date shall be no later than **115 days** before the first day of the month of the presumptive trial date;
- (7) To establish a plan for the management of discovery in the case, including any limitations on the use of the various discovery devices that may be agreed to by the parties or ordered by the judicial officer presiding over the conference;
- (8) To formulate, simplify, and narrow the issues;
- (9) To discuss and set deadlines for amendments to the pleadings, including the filing of third-party complaints, which deadline shall be no later than **90 days** following this conference;
- (10) To discuss the filing of potential motions and a schedule for their disposition, including the cut-off date for filing dispositive motions;
- (11) To set the approximate date of the settlement conference (see SDIL-LR 16.3(b));
- (12) To set the approximate date of the final pretrial conference (see SDIL-LR 16.2(b));
- (13) To consider the advisability of referring various matters to a Magistrate Judge or a Special Master;
- (14) To discuss the advisability of one or more additional case management conferences prior to the final pretrial conference; and
- (15) To cover any other procedural issues that the judicial officer hearing the case determines to be appropriate for the fair and efficient management of the litigation.

(16) The parties **SHALL** submit a Joint Report and Proposed Scheduling and Discovery Order using the form provided in the Local Rules, **at least Seven (7) days** before the conference. <http://www.ilsd.uscourts.gov/documents/WilkersonJROP.docx>

In addition, the Joint Report of Parties and Proposed Scheduling and Discovery Order must adhere to the following:

- It must be e-mailed to dgwpd@ilsd.uscourts.gov in **Word**.
- **Third-Party dates must be included** even if no third-party actions are anticipated.
- The parties must **use the current track setting** to calculate discovery and dispositive motions deadlines, even if a motion to extend the trial date is pending. In calculating these dates, the parties may use the first day of the presumptive trial month **or** the actual trial date.
- If the calculated cutoff date falls on a weekend or holiday, the next business day preceding that date must be used. <http://timeanddate.com/date/dateadd.html> is a free online date calculator that may be used to calculate dates.
- The proposed order must be **dated** before the signature blocks.
- The party drafting the document must affix their **digital signature**, e.g., s/John Doe. The other non-drafting parties must have their digital signatures affixed followed by a designation indicating it was signed with consent, e.g., s/John Smith (w/consent). Only one attorney's signatures need be affixed per party.

The Joint Report of Parties and Proposed Scheduling and Discovery Order, consented to and signed by each party or by an attorney of record, at the discretion of the assigned judicial officer, may be deemed to satisfy the requirements of SDIL-LR 16.2(a).

All actions taken at the initial pretrial scheduling and discovery conference will be incorporated into a pretrial scheduling and discovery order, which shall be modified only by Order of Court.

The scheduling and discovery conference may, at the discretion of the Magistrate Judge, be canceled if the Magistrate Judge approves the parties' Joint Report of Parties and Proposed Scheduling and Discovery Order as submitted.

The conference call is mandatory in all **Track D** proposed class action cases. See SDIL-LR23.1. In **pro se** cases, the Court will hold this conference even if the parties have submitted appropriate dates.

DATED: August 4, 2015

JUSTINE FLANAGAN, Acting Clerk of Court

s/ *Jackie Payton*
Deputy Clerk

Forms referenced in this document are available, free of charge, downloadable from the district court web site at www.ilsd.uscourts.gov or from the Clerk's Office for a fee. Copies of the new forms are included as attachments in the July 2003 revision of the Local Rules.